

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>D. JAMES PHILLIPPI,</b>	:	
<b>Plaintiff,</b>	:	<b>Case No. 2:07-cv-916</b>
<b>v.</b>	:	<b>Judge Holschuh</b>
<b>JIM PHILLIPPI, INC., et al.,</b>	:	<b>Magistrate Judge Kemp</b>
<b>Defendants.</b>	:	
	:	

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<b>JIM PHILLIPPI, INC., et al.,</b>	:	
<b>Plaintiffs,</b>	:	<b>Case No. 2:07-cv-1001</b>
<b>v.</b>	:	<b>Judge Holschuh</b>
<b>D. JAMES PHILLIPPI, et al.,</b>	:	<b>Magistrate Judge Kemp</b>
<b>Defendants.</b>	:	
	:	

**ORDER**

On May 18, 2009, Magistrate Judge Kemp issued a Report and Recommendation recommending that the Court deny Plaintiff D. James Phillippi's motion to appoint a receiver. (Doc. # 43 in 07-cv-1001). The parties were specifically advised of their right to object to the Report and Recommendation and of the consequences of their failure to do so. No objections have been filed. The Report and Recommendation (Doc. # 81 in 07-cv-916 and # 78 in 07-cv-1001) is therefore **ADOPTED**. Plaintiff's motion to appoint a receiver is **DENIED**.

**IT IS SO ORDERED.**

Date: June 10, 2009

**/s/ John D. Holschuh**  
John D. Holschuh, Judge  
United States District Court